

**Exhibit M**

1 BARRY J. PORTMAN  
Federal Public Defender  
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5  
6 Counsel for Defendant LOPEZ-MANERA

7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ABEL LOPEZ-MENERA,

15 Defendant.

No. CR-07-653 SI

DECLARATION OF SALLY DIETZ IN  
SUPPORT OF MOTION TO DISMISS  
INDICTMENT

16  
17 I, Sally Dietz, declare the following to be true under penalty of perjury:

18 1. I am a family friend of the defendant in the above captioned case. I reside at 4141 Chico  
19 Avenue in Santa Rosa, California, 95407;

20 2. I have known Mr. Lopez-Manera and his family for multiple years. I first met Rosa  
21 Sanchez, Mr. Manera's common law wife, when she came from El Salvador in the early  
22 1990s. I first met Mr. Lopez-Manera when he became involved with Rosa Sanchez in  
23 1992, when their oldest daughter Bessie was born. Bessie is now 15 years old. I remained  
24 closely in contact with the family when Abel was born in 1994, and was present in the  
25 hospital when Jose Andres was born in 1996;

26 3. I began assisting the entire family from the beginning of the time I knew them. Ms. Rosa

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1 Sanchez is very poor, and comes from a poor farm background. She only speaks Spanish,  
2 and is unfortunately illiterate;

3 4. I tried to help the family in any way that I could. In the beginning, I observed Mr. Lopez-  
4 Manera working all the time, between 1992 and 1994. When Bessie born, up until the  
5 time she was two years old (which would have been approximately 1994), Mr. Lopez-  
6 Manera was working hard to provide for his family;

7 5. By 1994 or 1995, when Abel was about six months old, Mr. Lopez-Manera started to run  
8 into trouble with the law;

9 6. In 1997, Mr. Lopez-Manera was riding his bicycle to his night job as a janitor, when he  
10 was arrested. Before we knew it, he was in immigration proceedings. My understanding  
11 was that there was nothing that we could do to help him, and that he would be deported;

12 7. I never heard anything from the Immigration Court or Mr. Lopez-Manera about  
13 "voluntary departure." If Mr. Lopez-Manera had called me and asked me for money to  
14 help him depart the country voluntarily, I would have been happy to provide him the  
15 necessary funds. In addition, I would have gone to Immigration Court with his wife, if  
16 necessary, to assist him with bail;

17 8. I know that Mr. Lopez-Manera has an aunt that he is close to, Beatrice Martinez, who  
18 lives in Windsor. Based on my interaction with Mr. Lopez-Manera, I know that he was  
19 often visiting this aunt. I also know that she helped him in any way that she could. Based  
20 on these observations, I have a good faith belief that Mr. Lopez-Manera's aunt would  
21 have also assisted him with immigration proceedings if necessary.

22  
23 Signed this the 29<sup>th</sup> day of November, 2007 in Santa Rosa, California.

24  
25   
26 SALLY DIETZ

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